

February 16, 2000

THE PARTIAL BIRTH ABORTION AND JUDICIAL LIMITATION ACT

Statement of HON. RON PAUL OF TEXAS

Mr. Speaker, today I introduce the Partial Birth Abortion and Judicial Limitation Act. This bill would, in accordance with Article 3, Section 2 of our United States Constitution, prohibit federal courts (exclusive of the US Supreme Court) from hearing cases relative to partial birth abortion. One of the most egregious portions of the Roe v. Wade decision is that the ruling in that case served to substitute the opinions of unelected judges for those of state representatives when it comes to making abortion law. By doing this, judges have not merely taken on the role of legislators, they have also thrust the federal apparatus into an area that the founding fathers specifically and exclusively entrusted to state entities. Unfortunately, this aspect of Roe v. Wade has not received the attention that less critical portions of the decision have received. The legislation I am introducing today is aimed at moving us toward correcting the federal judicial usurpation of constitutionally-identified state authority. This legislation is needed now more than ever as certain "lower federal courts" have taken it upon themselves to continue the error-ridden ways of Roe v. Wade by overturning legitimate state restrictions on partial birth abortion. Mr. Speaker, I encourage my colleagues to review this new legislation and to join me in this battle by cosponsoring this pro-life legislation.